REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 1-14. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-17 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 1-10 and 12-17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Applicant's Admitted Prior Art (Fig. 3 "Description of Prior Art"). The Applicant respectfully traverses the rejection of these claims.

In the Official Action, the Applicant's Admitted Prior Art (AAPA) is cited as support for rejection of claims 1-10 and 12-17. A key limitation of the present invention, that of eliminating a transcoding unit from a data path (Fig. 3, "Description of Prior Art), is rejected based on the portion of the Applicant's specification on page 2, lines 35 – page 3, line 5 and page lines 26-35. The Applicant has reviewed this cited portion of the AAPA and finds no reference to an elimination of a transcoding unit from a data path.

Respectfully, the Applicant asserts that Figure 3 does not disclose the Applicant's invention as claimed in amended claim 1. Figure 3 describes the current operation of TFO-TRAU and TCME combinations and notes that using TCME as outlined on page 5, saves up to 75% of transmission costs in the inter-MSC network. All this is accomplished with transcoder units, in conjunction with a transcoder controller, in the data path (page 6, lines 11-29).

In conjunction with Figure 3 and in the background of the Specification, the Applicant makes mention of a previous application that discloses co-locating the TRAUs and TCMEs to reduce maintenance overhead and operating costs associated with the TCME. The co-location is described as beneficial but notes that it has not been possible to reduce the hardware required for transcoding (Page 7, lines1-6). This portion of the Background sets up the key element of the Applicant's present invention, that of reducing the hardware required for transcoding while maintaining the primary

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benefits of TFO (page 7, lines13-16). As claimed in amended claim 1, the TRAU controller is adapted to remove the TRAU from the data stream under certain conditions.

In the Applicant's invention a data stream is monitored and when source and destination TFO-TRAU's use the same Codec type in a "back to back" configuration, a direct shortcut eliminating at least one TRAU is made between the source data encoder and the destination decoder. The transcoder controller determines whether a switch (MSC) controller is "through connecting" the data transparently. (Page 14, line 10 – page 15, line 10). If this is the case, a transcoder unit is removed from between the source encoder and the destination decoder. (Fig. 2A, page 15, line 23 – page 15, line 14)

If, on the other hand, it is determined that the MSC will insert signaling tones, announcements, etc (i.e., Supplementary Services) during the absence of the codec, the transcoder controller will hold off removing the codec until the insertion of Supplementary Services is complete. When supplementary services are added, the (data path associated to the) connection is no longer transparently connected through the MSC group switch. (Page 2, lines 12-15). The Applicant respectfully directs the Examiner's attention to Currently Amended claim 1.

> 1. (Currently Amended) An apparatus for use in a switching network of a telecommunication system, said apparatus including:
>
> a plurality of transcoding units (TRAU) for encoding and decoding data, including speech data, wherein said plurality of transcoding units are for operating in tandem-free operation (TFO) mode;
>
> switching means adapted to switch data, including speech data, through said plurality of transcoding units, and
>
> a transcoder controller for controlling said switching means and said plurality of transcoding units, wherein said transcoder controller is adapted for:
>
> instructing said switching means to insert one of said plurality of transcoding units into a data path associated with a connection between a mobile terminal of said telecommunication system and said switching network,
>
> determining that a switching controller associated with <u>the switching means is transparently through-connecting the data</u>, wherein said transcoder controller is adapted to instruct, during said connection,

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said switching means to eliminate said one of said at least one transcoding unit from said data path. (emphasis added)

The Applicant respectfully asserts that the AAPA fails to disclose at least the emphasized limitation.

Amended claim 14 is analogous to claim 1 and contains similar limitations. The Applicant respectfully submits that these claims, and the respective dependent claims, 2-13 and 15-17, are distinguished from the AAPA because of the absence of at least the emphasized limitation. This being the case, the Applicant respectfully requests that the rejection of these claims be withdrawn.

Claim Rejections – 35 U.S.C. § 103 (a)

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art as applied to claim 10 above, further in view of Yoon U.S. 6,842,508. The Applicant respectfully traverses the rejection of this claim.

Yoon is cited for teaching information including port address information being received from a switching controller. Yoon appears to disclose a voice mail system with a voice and signal processing section that includes a vocoder, a control section and a communication control section. However, claim 11 depends indirectly from claim 1 and thus contains the limitations therein. Neither the AAPA nor Yoon disclose detecting transparent operation, wherein at least one transcoding unit may be removed from the data path. The Applicant respectfully requests withdrawal of the rejection of this claim.

Prior Art Not Relied Upon

In paragraph 4 on page 9 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

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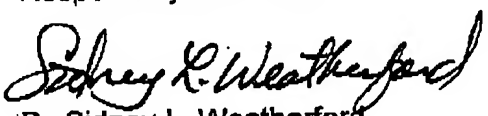
CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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